

IN THE UNITED STATES DISTRICT COURT FOR THE
EASTERN DISTRICT OF TENNESSEE
AT CHATTANOOGA

UNITED STATES OF AMERICA

v.

VIRGIL McGEE

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No. 1:07-CV-79

MEMORANDUM AND ORDER

This criminal case is before the court on the defendant's motion for a continuance of the trial date [doc. 71] and the government's motion to extend the plea agreement deadline [doc. 70]. Chambers contacted counsel for both parties about resetting these two matters, but neither lawyer returned the court's calls. Therefore, the court will grant both motions and set the matters at the court's convenience.

As to the defendant's motion for a continuance of the trial, counsel avers that additional time is needed to evaluate the evidence and charges. The court finds the motion well taken, and it will be granted. The court finds that the ends of justice served by granting the motion outweigh the best interest of the public and the defendant in a speedy trial. 18 U.S.C. § 3161(h)(8)(A). The court finds that the failure to grant the motion would deny the defendant the reasonable time necessary for effective preparation. 18 U.S.C.

§ 3161(h)(8)(B)(iv). Therefore, all the time from the filing of the defendant's motion to the new trial date is excluded under the Speedy Trial Act. 18 U.S.C. § 3161(h)(8)(A).

It is hereby **ORDERED** that the defendant's motion for a continuance of the trial in this criminal case is **GRANTED**, and the trial of this criminal case is **CONTINUED** to November 7, 2007, at 9:00 a.m. in Chattanooga.

It is further **ORDERED** that the government's motion for an extension of the plea agreement deadline is **GRANTED**, and the deadline is extended to October 29, 2007.

ENTER:

s/ Leon Jordan
United States District Judge